

REMARKS

This RCE Amendment responds to the Final Office Action dated November 24, 2010 taken in conjunction with the above-identified U.S. Patent Application.

In that Action, the Examiner continues his rejection of all claims in the application, basing claim rejections variously on combinations of the same, five previously cited and applied references used in prior claim rejections. Specifically in this most recent Action, the Examiner has rejected claims 1 and 3 as being unpatentable over a proposed combination of U.S. Patent No. 7,218,405 to Aschenbrenner et al., U.S. Patent Application Publication No. 2004/0196493 of Christiansen et al., U.S. Patent Application Publication No. 2004/0008885 of Caldato et al., and U.S. Patent Application Publication No. 2004/0100656 of Kuroki. Additionally, the Examiner has rejected claims 2 and 4 as being unpatentable over the same four-reference combination just identified above combined additionally with U.S. Patent Application Publication No. 2004/0190045 of Matsuhara et al.

Applicants respectfully disagree with the Examiner's analyses of the five cited and applied prior art references, and the Examiner's assertion that there is any properly created combination of these references which can be said to make obvious applicants' claimed invention. In this respect, and without over-texting the present responsive Amendment, applicants refer the Examiner, with a request for his careful attention, to all of their patentability-supporting arguments presented heretofore in the prosecution history of this case. These arguments support the correct view that the presently cited and applied references cannot properly be combined in any way to produce applicants' claimed invention. In fact, even if combined properly under rules permitting reference combination, they are incapable of being assembled in a manner which could replicate that invention. They do not possess all of the pieces to do so.

Let us look, for example, at how, simply, the Kuroki disclosure leaves a pair of large and irreparable holes (patentability-distinguishing deficiencies) in the Examiner's proposed assembly of art.

First, and with respect to previously presented arguments directing the Examiner's attention to deficiencies in the references, and specifically to weakness of the Kuroki reference, applicants note, with concern, that the Examiner's most recent Office Action completely failed to address effectively the fact that, in the last prior response prepared by applicants in this case to the last prior Office Action, they pointed out how a careful reading of the Kuroki reference leads to an understanding that that reference has a file-size constraint which acts as a barrier to direct processing of "oversize" PDF files, whereas applicants' claimed invention involves direct processing of all PDF files, regardless of file size. In other words, whereas applicants' invention applies its querying and deflection/channeling (or non-deflection/non-channeling) image-processing steps directly, and without any intervention, to all PDF files, the Kuroki approach will not apply its processing steps until a file-size "hurdle" has been addressed.

It is difficult to believe that the Examiner simply missed this important point, but to emphasize it again now, applicants have herein introduced the words "direct" and "directly" at appropriate locations, respectively, in currently amended claims 1 and 3 to stress this distinction.

Secondly, yet another important distinction (a second hole in the Examiner's proposed assembly of reference art) between applicants' claimed methodology and the methodology described in the Kuroki reference is that, in contrast with the Kuroki practice, if, within a given, or each single, PDF "file", or "document", there is both imagery and text, applicants' invention does not separate text data from imagery data. Rather, applicants' approach looks at an entire PDF file (or document), i.e., at an entire file as a singularity, and on a file-by-file basis within a PDF data stream, and if such a looked-at file is, in its entirety, a PDF image-only file (i.e., with no text), then that file is processed specially by applicants' claimed deflection and channeling procedure, whereas, if, within a PDF data stream, a presented PDF file, as an entirety, contains both imagery and text material, it is treated *completely* as a PDF non-image-only file, with respect to which normal, non-diverted/non-channeled processing takes place. Applicants' invention does not separate

image-only PDF data within a single document, or file, from non-image-only PDF data in that same file or document. Separation for different processing is strictly file separation, and not data-within-a-file separation.

This "file"-based (or "document"-based) treatment of content in a PDF data stream is central to the implementation and practice of applicants' invention, and is expressed as such early in applicants' specification:

"This invention structurally and methodologically relates to the speedy, efficient and high-quality handling of an image-only file in a PDF data stream which is en route to a printer. Such a file might typically have been initiated by a document scanning operation aimed at sending that document to a recipient printer via e-mail and the Internet. Other transit modalities are, of course, possible, and the present invention is independent of all such modalities." (Specification, page 1, paragraph beginning at line 10 -- Emphasis Added).

In order to clarify this PDF "file"-focused practice which is implemented by applicants' invention, and while applicants believe that this practice, featured throughout the specification, should have been apparent in the language of the current (before the present Amendment) texts of the claims, applicants have modified language in the now presented (amended) claims to refer specifically to "files" rather than to "data", which latter term could have been interpreted erroneously to refer to an identification of data within the content of a single file or a single document.

This PDF "file"-based practice, as it has just been described above, is not disclosed or suggested in Kuroki.

To observe the truth of this just-made statement about Kuroki, applicants direct the Examiner's attention to the Kuroki practice description which is associated with Fig. 19 and Paragraph [0113] in the Kuroki reference. Here there is illustrated the now-subject, distinguishing Kuroki behavior wherein, regarding a single file, or document, which contains both PDF imagery data and PDF text data, and which has not been "blocked" because of a too-large file size, there occurs a separation of these two kinds of data from within that single file/document for subsequent handling. Applicants' invention does not do this, and

applicants' claim revisions made herein, which now more clearly emphasize the term "file", make plain that applicants' invention treats an entire PDF document (or, by other terminology, an entire PDF file) as an entity for review with respect to whether that entire document is either PDF image-only in nature, or on the other hand, PDF non-image-only in character.

Applicants' invention thus directs each individual document, or file, in a PDF datastream to either the described PDF image-only pipeline, by way of which it is processed and printed using highly efficient direct printing, or to a conventional PDF processing pipeline. Each document must be image-only in nature, and in its entirety, in order to be directed to applicants' special, image-only pipeline. If this is not true, that is if a document is not completely an image-only document, it will be handled conventionally. The representative document discussed in paragraph [0113], and illustrated in Fig. 19, in Kuroki would be processed, if presented in the setting of applicants' invention, using conventional PDF processing for the reason that this document is not a 100% image-only PDF document (file).

It is thus the case that the Examiner's proposed incorporation of Kuroki with the other four, cited and applied prior art references, even if proper (which applicants dispute), cannot successfully combine to produce applicants' invention, at least because of the two, mentioned, important deficiencies which exist in Kuroki et al. -- namely the file-size constraint practice, and the separation, within a single file, or document, of contained image-only and non-image-only types of PDF data.

Accordingly, with entry of the present RCE Amendment, wherein clarification has been introduced into applicants' claims with respect to (1) the stated "directness" of PDF file handling of all encountered PDF files, and (2) the now consistent use of the term "file" throughout the claims, all claims now presented in this application, on the basis of entry of the present Amendment, are believed to be clearly distinguishable from, and therefore

patentable over, the proposed combination of the several, cited and applied, prior art references. For this reason, favorable reconsideration of this application, and allowance of all presented claims, are respectfully solicited.

CERTIFICATE OF ELECTRONIC FILING Respectfully submitted,

I hereby certify that the attached documents are being filed electronically via EFS-Web with the U.S. Patent and Trademark Office on January 19, 2011.

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